

7000-101-0001 (000000)

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FILED/ACCEPTED

OCT 15 2007

Federal Communications Commission
Office of the Secretary

In the Matter of)	EB Docket No. 07-147
)	
PENDLETON C. WAUGH, CHARLES M.)	File No. EB-06-IH-2112
AUSTIN, and JAY R. BISHOP)	NAL/Acct. No. 200732080025
)	
PREFERRED COMMUNICATION)	FRN No. 0003769049
SYSTEMS, INC.)	
)	
Licensee of Various Site-by-Site Licenses in)	
the Specialized Mobile Radio Service.)	
)	
PREFERRED ACQUISITIONS, INC.)	FRN No. 0003786183
)	
Licensee of Various Economic Area Licenses)	
in the 800 MHz Specialized Mobile Radio)	
Service)	

To: Charles M. Austin

ENFORCEMENT BUREAU'S FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS TO
JAY R. BISHOP

The Enforcement Bureau ("Bureau"), pursuant to Section 1.325 of the Commission's Rules, 47 C.F.R. § 1.325, hereby requests that Jay R. Bishop ("Bishop") produce the documents specified herein for inspection and copying. Production shall be made at the offices of the Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, Suite 4-C330, 445 12th Street, S.W., Washington, DC 20554 (or at some other location that is mutually acceptable to the Bureau and Austin) within 10 days of the date of this request.

No. of Copies rec'd 046
LAW ABOVE

Definitions and Instructions

- a. "Bishop" means Jay R. Bishop.
- b. "Commission" means Federal Communications Commission.
- c. "PCSI" means Preferred Communication Systems, Inc., any affiliate, d/b/a, predecessor-in-interest, parent company, wholly or partially owned subsidiary, successor-in-interest or other affiliated company or business, and all directors, officers, employees, shareholders or agents, including consultants and any other persons working for or on behalf of any of the foregoing during the period January 1, 1998 through the present.
- d. "PAI" means Preferred Acquisitions, Inc., any affiliate, d/b/a, predecessor-in-interest, parent company, wholly or partially owned subsidiary, successor-in-interest or other affiliated company or business, and all directors, officers, employees, shareholders or agents, including consultants and any other persons working for or on behalf of any of the foregoing during the period January 1, 1998 through the present.
- e. "Document" means the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, videotaped, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any book, pamphlet, periodical, contract, agreement, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide,

outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, personnel file, personnel folder, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody, or control of Bishop.

f. “Relate to” and “relating to” mean constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, concerns or in any way is pertinent to the specified subject, including documents concerning the preparation of the documents.

g. “All” shall be construed to include the word “any.”

h. Each Document produced shall be identified by the number of the Document request to which it is responsive, and each Document shall be produced in its entirety, even if only a portion of that Document is responsive to a request herein. This means that the Document shall not be edited, cut, or expunged, and shall include all appendices, tables, or other attachments, and all other Documents referred to in the Document or attachments. All written materials necessary to understand any Document responsive to these inquiries must also be produced.

i. If a Document responsive to any request herein existed but is no longer or not currently available, or if Bishop is unable for any reason to produce a Document responsive to any request, each such Document shall be identified by author, recipient, date, title, and specific subject matter, and a full explanation shall be provided why the Document is no longer available or why Bishop is otherwise unable to produce it.

j. If any Document produced in response to any request herein is not dated, the date on which the Document was prepared shall be provided. If any Document does

not identify its author(s) or recipient(s), the name(s) of the author(s) or recipient(s) of the Document shall be provided.

k. This request is continuing in nature, requiring immediate production if a further or different Document responsive to any request herein comes into the possession, custody, or control of Bishop during the pendency of this proceeding.

1. If production of any Document responsive to any request herein called for by this request is refused pursuant to a claim of privilege, the Document shall be identified by reference to its author, recipient(s) (including any person receiving a copy, regardless of whether that recipient is listed on the Document), date, and subject matter. The basis for the privilege claimed for such Document shall be specified with sufficient precision to permit assessment of the applicability of the privilege involved.

Documents Requested

1. All Federal and state income tax returns filed by Bishop from January 1, 1998, to the present.

2. All Documents relating to and/or evidencing each of the felony convictions of Jay R. Bishop.

3. All applications filed by or on behalf of Bishop with the Commission and all Documents relating to the planning, preparation, review and filing of such applications.

4. All applications filed by or on behalf of PCSI with the Commission and all Documents evidencing Bishop's involvement in the planning, preparation, review and filing of such applications.

5. All applications filed by or on behalf of PAI with the Commission and all Documents evidencing Bishop's involvement in the planning, preparation, review and filing of such applications.

6. All Documents relating to any financial obligations that Bishop has incurred on behalf of PCSI.

7. All Documents relating to any financial obligations that Bishop has incurred on behalf of PAI.

8. All Documents relating to the hiring, firing and/or supervising by Bishop of PCSI employees, agents and/or other personnel.

9. All Documents relating to the hiring, firing, and/or supervising by Bishop of PAI employees, agents and/or other personnel.

10. All Documents relating to any contracts, arrangements, understandings and/or agreements that Bishop has negotiated, or participated in negotiating, on behalf of PCSI.

11. All Documents relating to any contracts, arrangements, understandings and/or agreements that Bishop has negotiated, or participated in negotiating, on behalf of PAI.

12. Any Documents relating to salaries, profits, monies and/or other consideration or compensation, whether tangible or intangible, of any kind and to any extent whatsoever, that Bishop has ever earned from, or been promised, by PCSI.

13. Any Documents relating to salaries, profits, monies and/or other consideration or compensation, whether tangible or intangible, of any kind and to any extent whatsoever, that Bishop has ever earned from, or been promised, by PAI.

14. All Documents relating to any trust that Bishop has ever formed or planned to form, or for which Bishop has been the beneficiary, for the purpose of acquiring, buying, or receiving shares of PCSI or PAI stock.


15. All Documents supporting each of Bishop's answers to the Enforcement Bureau's First Set of Interrogatories to Jay R. Bishop.

16. All Documents on which Bishop intends to rely to support any legal or factual premise or defense at any hearing in this proceeding.

Respectfully submitted,
Kris Anne Monteith
Chief, Enforcement Bureau



Gary Oshinsky
Attorney, Investigations and Hearings Division



Anjali Singh
Attorney, Investigations and Hearings Division

Federal Communications Commission
Enforcement Bureau
Investigations and Hearings Division
445 12th Street, S.W., Room 4-C330
Washington, D.C. 20554
(202) 418-1420

October 15, 2007

CERTIFICATE OF SERVICE

Kerri Johnson a Paralegal Specialist in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 15th day of October, 2007, sent by first class United States mail or electronic mail, as noted, copies of the foregoing "Enforcement Bureau's First Request for Production of Documents to Jay R. Bishop" to:

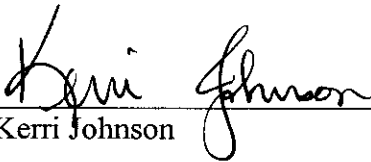
Jay R. Bishop
c/o Michelle Bishop
1190 South Farrell Drive
Palm Springs, CA 92264
jaybishopps@aol.com

David J. Kaufman**
Brown Nietert & Kaufman, Chartered
1301 Connecticut Ave. N.W., Suite 450
Washington, DC 20036
david@bnkcomlaw.com
Attorney for Preferred Communication Systems, Inc., Preferred Acquisitions, Inc., and Charles M. Austin

Robert J. Keller**
Law Offices of Robert J. Keller, P.C.
P.O. Box 33428
Washington, DC 20033-0428
rjk@telcomlaw.com
Attorney for Preferred Communication Systems, Inc., Preferred Acquisitions, Inc., and Charles M. Austin

William D. Silva**
Law Offices of William D. Silva
5335 Wisconsin Ave., NW, Suite 400
Washington, DC 20015-2003
bill@luselaw.com
Attorney for Pendleton C. Waugh

Administrative Law Judge Arthur I. Steinberg*
Federal Communications Commission
445 12th Street, S.W., Room 1-C861
Washington, D.C. 20054


Kerri Johnson

* Hand-Delivered and Courtesy Copies Sent Via E-Mail

** Courtesy Copies Sent Via E-Mail (E-Mail service acceptable in lieu of hard copies for files 4 MB or less per agreement with counsel.)